

IN THE CLAIMS

sub C1
1. (currently amended) A wayside rail lubrication apparatus for ~~lubricating rails-applying lubrication~~ for the passage of trains having one or more locomotives constituting a consist pulling a plurality of load cars along the rails, the apparatus comprising:

a sensor associated with a first position ~~on-along~~ a rail for producing a lubrication signal when a locomotive pulling a plurality of load cars moves adjacent the first position; and

a lubricant dispensing apparatus for applying a lubricant ~~to the rail~~ at a second position ~~on-along~~ the rail in response to the lubrication signal, the lubricant adapted to reduce the friction between wheels of the load cars and the rail, the first position and the second position being separated by a distance ~~on-along~~ the rail with the first position being farther along the rail in a direction of movement of the locomotive relative to the second position, the distance being sufficient to prevent the lubricant from contacting any drive wheel of the locomotive consist, whereby friction at the rail is reduced for the load cars of the train without loss of tractive effort of the locomotive consist on the rails.

2. (currently amended) The wayside rail lubrication apparatus of claim 1, the lubricant dispensing apparatus further comprising:

a lubricant container for storing a volume of lubricant;

a pump for delivering lubricant from the lubricant container ~~to the rail~~ an applicator along the rail; and

a refilling device for adding lubricant to the lubricant container at no more than a predetermined rate so that lubricant available for application over a predetermined period of time is limited.

3. (original) The wayside rail lubrication apparatus of claim 1, further comprising a bypass device for selectively preventing the lubricant dispensing apparatus from applying the lubricant in response to the lubrication signal.

4. (currently amended) The wayside rail lubrication apparatus of claim 1, further comprising a controller terminating the application of the lubricant to the rail by the lubricant dispensing apparatus before a number of the load cars at a rear of the train pass the second position.

Claims 5 and 6 (cancelled).

7. (currently amended) A wayside rail lubrication apparatus for lubricating rails for the passage of trains along the rails, the apparatus comprising:
a detection apparatus for providing a lubrication signal in response to the presence of a train on a rail adjacent the detection apparatus;

a lubricant dispensing apparatus for applying a lubricant in response to the lubrication signal to reduce friction of the train on the rails; and

a bypass device for selectively preventing operation of the lubricant dispensing apparatus in applying the lubricant in response to the lubrication signal under circumstances in which the addition of lubricant is undesirable;

The wayside rail lubrication apparatus of claim 5, wherein the bypass device comprises a remote signal reception device wireless communication system receiver for receiving a signal from a remote location wireless communication system transmitter located on the train for controlling the bypass device.

Claims 8-16 (cancelled).

17. (currently amended) A method of applying lubricant ~~to a rail for lubricating the rail~~ for the passage of a succession of trains along ~~the a~~ rail, the method comprising:

applying lubricant ~~to a rail~~ at a first time in response to the presence of a first train at a location along the rail;

sensing the presence of a second train at the location at a second time; and

applying lubricant ~~to the rail~~ in response to the presence of the second train at the location, with the quantity of lubricant applied at the second time being responsive to the time span between said first and second times.

18. (previously amended) The method of claim 17, further comprising applying no lubricant at the second time if the time span has not exceeded a predetermined minimum.

19. (currently amended) A method of applying lubricant ~~to a rail for lubricating the rail~~ for the passage of trains each having one or more locomotives constituting a ~~consist~~ consist, the consist located at a head of train at a leading end of the train, and an end of train at a trailing end of the train as the train travels along the rail, the method comprising:

sensing the presence of a train on a rail;

applying a lubricant ~~to at~~ a section of the rail in response to the presence of the train after the consist at the head of the train has passed the section of rail;

determining an end of train location relative to the section of rail; and

terminating the application of lubricant ~~to at~~ the section of rail before ~~an the~~ end of the train passes the section of rail so that the quantity of lubricant on the section of rail is dissipated by wheels of a plurality of cars proximate the end of the train.

20. (original) The method of claim 19, further comprising:
detecting the end of the train proximate a position of the rail a predetermined
distance from a position of a lubricant applicator; and
terminating application of the lubricant by the lubricant applicator in response to
the detection of the end of the train.